3/18/72

Mr. David E. Henderson, Executive Vice President
Westinghouse Broadcasting System
244 W. 44 Street
New York, N.Y. 10036

Dear Mr. Henderson,

In August 1969 you personally denied my request under FCC regulations to present the other than official version of the assassination of Dr. Martin Luther King, Jr. and the case of James Earl Ray, that request then based on what was said on your stations and your David Frost Show by Mr. Ramsey Clark. Since then Mr. Frost and your stations and others through you have again given but a one-sided presentation, that of Mr. Jim Bishop, on the appearance of his book. When I wrote the Frost Show and asked to be permitted to present the other side, there was no written response, but Mr. Bishop was presented for a second time, on each occasion Mr. Frost going out of his way to plug Mr. Bishop's book, which is still another way of effecting a larger audience for a one-sided presentation on a subject in which there are many issues and questions of national importance and concern involved. I have also made a similar request of your station, WJZ-TV and have been denied. In that case your station, after asking for a copy of my book, FRAME-UP, the only version of the other-than-official side, refused to air me and that side, then telling me fear was the reason, fear inspired by the airing of mild criticism of the FBI, which really did the investigation for public authority in the King/Ray case.

Now Doubleday is about to issue still another version of that one, official side in the form of a book titled "An American Death" by Gerald Frank. There is an enormous cash investment in this project, beginning with a publicly-reported six-figure advance. I do not believe this project can succeed without the free use of the people's air. I believe that if Westinghouse airs Mr. Frank it will compound its violation of FCC regulations and will preserve a perfect record of partisanship where the people are entitled to both sides. And I believe I am the only one qualified to make any kind of effective presentation of the other-than-official side.

I do not believe FCC regulations require simultaneous presentation of both sides, but I think in this case and with Westinghouse's record fairness really does. I therefore ask that if you do air Mr. Frank you make it possible for me to appear in confrontation, to present to the same audience and at the same time this other side to which I believe the people should have equal access through your publicly-licensed facilities.

Mr. Frank says Mr. James Earl Ray was the solo assassin. Mr Ray has never admitted it and, in fact, denies it. He has never been tried and is now seeking a trial. His rights to a trial may be jeopardized by partisan airing of his case. He is in jail and for this and other reasons cannot speak for himself. He has authorized me to speak for him based on the content of my work and book (which is a year old and not on general sale). So, my request for equal opportunity to present this other side, should you now air Mr. Frank's unofficial version of the official version, is also in the name and with the authority of Mr. Ray.

Sincerely,

Harold Weisberg